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April Reeves
April Reeves

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

C. Case *et al.*

Application No.: 09/942,087

Filed: August 28, 2001

For: MODULATION OF ENDOGENOUS
GENE EXPRESSION IN CELLS

Examiner: John S. Brusca

Group Art Unit: 1631

Confirmation No.: 7166

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TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Sangamo BioSciences, Inc. (the Assignee) is the owner of the entire right, title and interest in the instant application, by virtue of an Assignment recorded on December 6, 2001 at Reel 012218, Frame 0221.

2. The Assignee is also the owner of the entire right, title and interest in US Patent Application Serial No. 10/245,415 by virtue of an assignment recorded on December 11, 2002 at Reel 013293, Frame 0245.

3. The assignee hereby disclaims, except as provided below, the terminal part of any patent granted on the above-captioned application Serial No. 09/942,087 which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173 of any patent granted on pending application 10/245,415. Assignee further agrees that any patent granted on the above-captioned application Serial No. 09/942,087 will be enforceable only for

and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on pending application 10/245,415; this agreement to run with any patent granted on the above-captioned application Serial No. 09/942,087 and to be binding upon the grantee, its successors or assigns.

4. In making this disclaimer, the assignee does not disclaim the terminal part of any patent granted on the above-captioned application Serial No. 09/942,087 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of any patent granted on pending application 10/245,415; in the event that any of the aforementioned patents or patent applications later (a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid by a court of competent jurisdiction, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, (e) has all claims cancelled by a reexamination certificate, (f) is reissued, or (g) is, in any manner, terminated prior to the expiration of its full statutory term.

5. The undersigned is an agent of record in the instant application by virtue of a Power of Attorney by Assignee dated October 23, 2001 and mailed to the USPTO on December 3, 2001.

6. A check in the amount of \$110.00 for a Terminal Disclaimer fee under 37 C.F.R. § 1.20(d) is included.

Respectfully submitted,

Date: January 20, 2004

By:



Sean M. Brennan
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